

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

(1) FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

Railroad Safety Advisory Committee (RSAC)

(2) AUTHORITY

Identify the authority for establishing the FAC

The RSAC is established under the authority of the U.S. Department of Transportation and is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. The formation and use of RSAC are determined to be in the public interest in connection with the performance of duties imposed on the Secretary, and delegated to the Federal Railroad Administration (FRA) Administrator, by the Federal railroad safety statutes (49 U.S.C. §§ 20101–21311). See Memorandum of the President titled, "Regulatory Reinvention Initiative" (March 4, 1995), and Sec 6(a) of Executive Order 12866 (Sept. 30, 1993).

(3) MISSION/FUNCTION

Describe the mission/function of the FAC

The mission and function of the committee is to provide a continuing forum for advice and recommendations to the Administrator on railroad safety issues, including security. As all interested segments of the railroad industry and the public will be represented on the committee, all of the FRA affected entities and the public will have a more direct role in shaping FRA's regulatory program. The committee will allow management, labor, FRA, the Transportation Security Administration, and other interested parties to cooperatively address safety and security problems by identifying the best solutions based on agreed-upon facts, and where regulation appears necessary, identify regulatory options to implement these solutions.

(4) POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;*
- (b) consider indentifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

The RSAC will be composed of organizations representing all aspects of the railroad industry including labor, railroads, suppliers, States, chemical suppliers, passenger advocates plus advisors from FTA, NTSB, TSA, Canada, Mexico. The committee will be balanced by ensuring parity between the number of railroad management and labor seats. The committee members will serve as Representatives of their organizations.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

If additional organizations seek membership or are later identified that fit into one of the categories for membership and the Administrator determines they have a significant interest in rail safety, they may be added as member organizations.

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*

(a) The list of organizations and/or individuals proposed for membership was originally compiled in 1996 with the launch of the Committee and has been added to over the years by the process described in section (5).
(b) Agency key staff involved in determining balance for the committee were the Associate Administrator for Safety/Chief Safety Officer, the Railroad Safety Advisory Committee Designated Federal Officer, and attorneys from the Office of Chief Counsel. (c) & (d) considerations of vacancies and term limits will be addressed by member organizations.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

The process for determining FAC member balance on subcommittees will be the same as the process for the parent FAC.

(8) OTHER

Provide any additional information that supports the balance of the FAC

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

March 9, 2016.